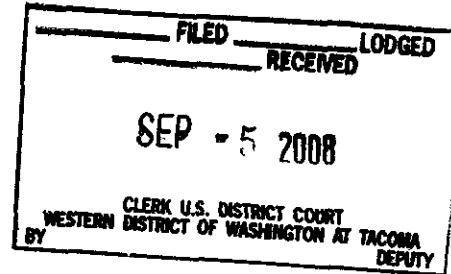


HONORABLE RONALD B. LEIGHTON



07-CV-05158-ORD



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

A.G. DESIGN & ASSOCIATES, LLC, a
Washington Limited Liability Company,

Plaintiff,

v.

NO. CV07-5158 RBL

TRAINMAN LANTERN COMPANY, INC., a
Washington Corporation, d/b/a AMERICAN
LANTERN COMPANY, INC.; AMERICAN
LANTERN, INC., a Foreign Corporation;
MARCUS MUKAI, individually and as a
marital community with JANE DOE MUKAI;
G. SCOTT MUKAI; and JOHN DOE
DEFENDANTS 1 THROUGH 10.

ORDER GRANTING DEFENDANTS A.G.
DESIGN & ASSOCIATES, LLC, ALLEN
HERRINGTON, SHELLY
WALLENBERG, AND VICTOR
SANSALONE'S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON FALSE
MARKING CLAIMS

Defendants.

MARCUS MUKAI,

Plaintiff,

v.

A.G. DESIGN & ASSOCIATES, LLC, a
Washington State Limited Liability Company;
SHELBY COUNTY COMMUNITY
SERVICES, INC., an Illinois State

ORDER GRANTING DEFENDANTS A.G.
DESIGN & ASSOCIATES, LLC, ALLEN
HERRINGTON, SHELLY WALLENBERG,
AND VICTOR SANSALONE'S MOTION FOR
PARTIAL SUMMARY JUDGMENT (CV07-
5158 RBL) - 1

CHRISTIE LAW GROUP, PLLC
2100 WESTLAKE AVENUE N., SUITE 206
SEATTLE, WA 98109
206-957-9669

1 Corporation, doing business in the State of
2 Washington; ALLEN HERRINGTON, and the
3 marital community thereof; SHELLY
4 WALLENBERG, and the marital community
5 thereof; and VICTOR SANSALONE, and the
6 marital community thereof,

Defendants.

7 THIS MATTER having come on regularly before this Court on Defendants A.G. Design &
8 Associates, LLC, Allen Herrington, Shelly Wallenberg, and Victor Sansalone's Motion for Partial
9 Summary Judgment, the parties appearing by and through counsel, the Court having reviewed the
10 pleadings and files in this matter, specifically including the following:

- 11 1. Defendants A.G. Design & Associates, LLC, Allen Herrington, Shelly Wallenberg,
12 and Victor Sansalone's Motion for Partial Summary Judgment on False Marking
13 Claims;
- 14 2. Declaration of Allen Herrington In Support of Motion for Partial Summary
15 Judgment on False Marking Claims, with exhibits;
- 16 3.

17 having heard the argument of counsel; and being otherwise fully advised in this matter;

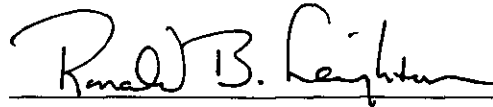
18 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants A.G. Design
19 & Associates, LLC, Allen Herrington, Shelly Wallenberg, and Victor Sansalone's Motion for
20 Partial Summary Judgment is GRANTED. Any claims for false marking in violation of 35 U.S.C.
21 § 292 that occurred prior to October 11, 2002 and any claims for false marking of rechargeable
batteries are hereby dismissed with prejudice as a matter of law.

///

ORDER GRANTING DEFENDANTS A.G.
DESIGN & ASSOCIATES, LLC, ALLEN
HERRINGTON, SHELLY WALLENBERG,
AND VICTOR SANSALONE'S MOTION FOR
PARTIAL SUMMARY JUDGMENT (CV07-
5158 RBL) - 2

CHRISTIE LAW GROUP, PLLC
2100 WESTLAKE AVENUE N., SUITE 206
SEATTLE, WA 98109
206-957-9669

1 DONE IN OPEN COURT/CHAMBERS this 4th day of September, 2008.

2
3 

4 RONALD B. LEIGHTON
5 UNITED STATES DISTRICT JUDGE

6 Presented by:

7 CHRISTIE LAW GROUP, PLLC

8 By /s/ Robert L. Christie

9 ROBERT L. CHRISTIE, WSBA #10895

10 THOMAS P. MILLER, WSBA #34473

11 Attorneys for Defendants

12 2100 Westlake Avenue N., Suite 206

13 Seattle, WA 98109

14 Telephone: (206) 957-9669

15 FAX: (206) 352-7875

16 Email: bob@christielawgroup.com

17
18
19
20
21
ORDER GRANTING DEFENDANTS A.G.
DESIGN & ASSOCIATES, LLC, ALLEN
HERRINGTON, SHELLY WALLENBERG,
AND VICTOR SANSALONE'S MOTION FOR
PARTIAL SUMMARY JUDGMENT (CV07-
5158 RBL) - 3

CHRISTIE LAW GROUP, PLLC
2100 WESTLAKE AVENUE N., SUITE 206
SEATTLE, WA 98109
206-957-9669